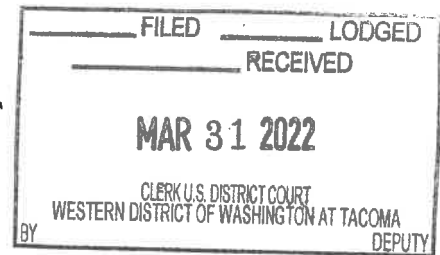


Rev. 3/19

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON



LeRoy Eijon Krause CFN#235799
Plaintiff's full name and prisoner number

Plaintiff,

v.

Case No. 3:22-cv-05204-BHS-JRC
(leave blank – for court staff only)

Vancouver Police Department

Nicholas Gillingham

SEE ATTACHMENT

Defendant's/defendants' full name(s)

**PRISONER CIVIL RIGHTS
COMPLAINT**

Defendant(s).

Jury Demand?

☐ Yes
☐ No

(If you cannot fit all of the defendants' names in the space provided, please write "see attached" in the space above and attach additional sheets of paper, as necessary, with the full list of names. The names listed here must be identical to those in Section II. Do not include addresses here. **Individuals whose names are not included in this section will not be considered defendants in this action.**)

WARNINGS

1. Do not use this form if you are challenging the validity of your criminal conviction or your criminal sentence. If you are challenging your conviction or sentence, or if you are seeking restoration of good-time credits that would shorten your sentence, you must file a Petition for Writ of Habeas Corpus. If you use this form to challenge your conviction or sentence, you risk having your claim dismissed. Separate forms are available for filing a habeas petition.

2. Under the Prison Litigation Reform Act ("PLRA"), you are required to exhaust all remedies in your institution's grievance system that are available to you before filing suit. This generally means that you must file a grievance and, if it is denied, appeal it through all available levels of review. Your case may be dismissed if you fail to exhaust administrative remedies, unless the administrative grievance process was not "available" to you within the meaning of the PLRA. You are not required to plead or show that you have exhausted your claim in this complaint.

v.

Travis Brown

Ryan Starbuck

Christopher Simmons

American Medical Response (AMR)

3. Please review your complaint carefully before filing. If your case is dismissed, it may affect your ability to file future civil actions while incarcerated without prepaying the full filing fee. Under the PLRA, a prisoner who has had three or more civil actions or appeals dismissed as frivolous, malicious, or for failure to state a claim cannot file a new action without first paying the full filing fee, unless the prisoner is in imminent danger of serious bodily injury.

4. Under Federal Rule of Civil Procedure 5.2, papers filed with the court, including exhibits or attachments to a complaint, may not contain certain information, which must be modified as follows:

Do not include:

- a full social security number
- a full birth date
- the full name of a minor
- a complete financial account number

Instead, use:

- the last four digits
- the birth year
- the minor's initials
- the last four digits

5. You may, but do not need to, send exhibits, affidavits, grievances, witness statements, or any other materials to the Clerk's Office with this complaint. Any documents you submit *must relate directly to the claims you raise in this lawsuit*. They will become part of the court record and *will not be returned to you*.

I. PLAINTIFF INFORMATION

Krause, Leroy, E

Name (Last, First, MI)

Eli

Aliases/Formal Names

CFN # 235799

Prisoner ID #

Clark County jail

Place of Detention

707 West 13th Street

Institutional Address

Clark County, Vancouver

County, City

Washington

State

98666

Zip Code

Indicate your status:



Pretrial detainee



Civilly committed detainee



Immigration detainee



Convicted and sentenced state prisoner



Convicted and sentenced federal prisoner

II. DEFENDANT INFORMATION

Please list the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint. Make sure that the defendant(s) listed below are identical to those contained in the caption on the first page of the complaint. Attach additional sheets of paper as necessary.

Defendant 1: West precinct, Vancouver police Department
Name (Last, First)

Current Job Title

2800 North East Stapleton road
Current Work Address

Clark County, Vancouver Washington 98661
County, City State Zip Code

Defendant 2: Gillingham, Nicholas
Name (Last, First)

Peace officer
Current Job Title

2800 North East Stapleton road
Current Work Address

Clark County, Vancouver Washington 98661
County, City State Zip Code

Defendant 3: Brown, Travis
Name (Last, First)

Detective
Current Job Title

2800 North East Stapleton road
Current Work Address

Clark County, Vancouver Washington 98661
County, City State Zip Code

Defendant 4: Starbuck, Ryan

name last, firstCorporalJob Title2800 North East Stapleton Roadcurrent work address

Clark County, Vancouver

WASHINGTON

98661

County, CityStateZipcode

Defendant 5: Simmons, Christopher

name last, firstSergeantJob Title2800 North East Stapleton Roadcurrent work address

Clark County, Vancouver

WASHINGTON

98661

County, CityStateZipcode

Defendant 6: American medical Response (AMR)

nameParamedicsJob title4109 Northeast 76th Streetcurrent work address

Clark County, Vancouver

WASHINGTON

98665

County, CityStateZipcode

III. STATEMENT OF CLAIM(S)

In this section, you must explain what you believe each defendant did to violate your civil rights, and if you know, identify the federal statutory or constitutional right you believe was violated.

If you believe the defendant(s) violated your civil rights in more than one way, explain each violation under a different count. For example, if you believe you received constitutionally inadequate medical care and your religious rights were substantially burdened, include one claim under "Count I" (i.e., medical) and the other claim under "Count II" (i.e., religion).

Number your paragraphs. For example, in Count I, paragraphs should be numbered 1.1, 1.2, 1.3, etc., and in Count II, paragraphs should be numbered 2.1, 2.2, 2.3, etc. The first two paragraphs of each Count have been numbered for you.

If you have more than three counts, attach additional pages and follow the same format for each count.

If you attach documents to support the facts of your claim(s), you must specify which portion of the document(s) (i.e., page and paragraph) you are relying on to support the specific fact(s) of your claim(s). If you do not specify the portion of the supporting document(s), the Court may disregard your document(s).

COUNT I

Identify the first right you believe was violated and by whom:

1.1 Christopher Simmons & Nor Nicholas Gillingham read me Miranda warning before questioning me while I was in a custodial situation curtailing my freedom of action violating my 5th Amendment of the United States Constitution.

State the facts of your first claim below. Include all the facts you consider important. Be specific about dates, times, locations, and the names of the people involved. Describe exactly what each specific defendant did or failed to do that caused you injury or violated your rights, and include any other facts that show why you believe what happened was wrong. If you need additional space, you may attach extra sheets.

1.2 On Oct 6th 2021, Nicholas Gillingham of the Vancouver police responded to a 3rd party report of Domestic Violence with allegations involving a knife. Officer Gillingham arrived on scene and "staged off" the area while awaiting back up, in which Corporal Ryan Starbuck and Sergeant Christopher Simmons arrived on scene. When

officer Gillingham and sergeant Simmons approached the bottom of the stairwell where I was at the top of, they ID'd me and summoned me by name to come down to them and I did so with my hands above my head saying "Don't shoot" obviously in fear of life as the two officers I immediately seen had their hands on their fire arms. The Sergeant Simmons (who is Gillingham's supervisor) and officer Gillingham directed me to take a seat. while they stood side by side in front of me and Gillingham asked me my name, social security number and date of birth, and then, began questioning me about the alleged incident without informing me of my right to silence as well as to my right to counsel present that would be the required Miranda warnings. (I have case laws if needed) It is in Gillingham's Incident report I was not Mirandized.

Then, I was forcefully taken down in handcuffs because I tried to turn around to talk to my girlfriend and police lied saying I tried to harm them. I bumped my head on the ground and police lied saying that I self harmed in police vehicle yet I was never Mirandized. They're lying while violating my rights. I'm basically kidnapped right now.

State with specificity the injury, harm, or damages you believe you suffered as a result of the events you described above in Count I. Continue to number your paragraphs.

I've been hurt physically, placed in fear of life and liberty; I don't feel safe knowing the police do such misconduct, I feel taken advantage of, I have stress, anxiety, sleepless nights. They've discriminated my character and have attacked my integrity.

COUNT II

Identify the second right you believe was violated and by whom:

2.1 All listed Defendants violated my right to Due process when they participated in and/or oversaw the forceful involuntary medication I was subjected to while in handcuffs.

State the facts of your second claim below. Include all the facts you consider important. Be specific about dates, times, locations, and the names of the people involved. Describe exactly what each specific defendant did or failed to do that caused you injury or violated your rights, and include any other facts that show why you believe what happened was wrong. If you need additional space, you may attach extra sheets.

2.2 When I was placed in the prisoner compartment of Gillingham's vehicle allegations arose that I was damaging the vehicle. They put my legs in a "Hobble" Leg restraint that secured my legs to the bottom of the door. One leg came free and officers called AMR to the scene and when AMR pulled up officers talked of sedating me and I told them, "NO, stay away from me". At this point I'm still in cuffs with my leg pinned to the door and before I knew it the door behind me opened up and Ryan Starbuck grabbed me by my hair, pulled me down and held me down by my cheek and shoulder to enable AMR personnel to forcefully inject me with a needle when I was fully competent and said "NO" as well as there was no court order that would permit involuntary medication for the purpose of restoring competency to stand trial. Furthermore, I was assaulted with a deadly weapon and against my will my mind was altered with a drug; All involved are accomplices to this retaliated assault on me. They did this to me in retaliation to the allegations being brought against me (case No. 21-1-01758-06) which

is the allegations of Domestic Violence as well as allegations of Destruction of a police vehicle.

If some one came to my house, Kicked out my window and I Punch them or hit them in the head with a bat and knock them unconscious that's assault; that assault would be retaliation for what wrong I accuse. The police retaliated and assaulted me.

State with specificity the injury, harm, or damages you believe you suffered as a result of the events you described above in Count II. Continue to number your paragraphs.

I have stress and anxiety. I'm afraid this can happen again, since I'm in jail with charges against me like, no wrong was done to me. I feel I've been Violated against my will; I'm terrified of needles. I was stripped of my dignity and my right to say "NO". I'm embarrassed. I've lost so much sleep. I now take meds to help with my trauma. I also see a Psychologist here at Clark County jail.

COUNT III

Identify the third right you believe was violated and by whom:

3.1 All defendants participated in and or are accomplices to Excessive use of force violating my 8th Amendment right: No Cruel or Unusual Punishment

State the facts of your third claim below. Include all the facts you consider important. Be specific about dates, times, locations, and the names of the people involved. Describe exactly what each specific defendant did or failed to do that caused you injury or violated your rights, and include any other facts that show why you believe what happened was wrong. If you need additional space, you may attach extra sheets.

3.2 intertwine with 2.2; There is no law or statute that allows forced injections without a Court order, especially for reasons other than restoring one's competency to stand trial, which is not the case here.

If someone comes to my house, and breaks my + V and I Punch them and Knock them unconscious that's Assault.

I was assaulted by Police and AMR personnel and both departments know this. Police try to justify their Misconduct only supporting that it was indeed retaliation. I was stuck with a needle while I was in handcuffs, one leg was in a 'Hobble' restraint and I was additionally held down while my mind was altered with a substance against my will. There is NO right for this cruel and very unusual Punishment. I Am a MAN of flesh and blood; not a dog. I have rights that have and are being violated Proving I will not get a fair trial since I have been treated Unreasonably Since Police inflicted contact.

State with specificity the injury, harm, or damages you believe you suffered as a result of the events you described above in Count III. Continue to number your paragraphs.

I have Anxiety, A hard time Sleeping. I have Stress that Police (Authoritative figures) can hurt people that normal civilians will be stripped of life and liberty for. I've been caused Stress, Anxiety, Embarrassment. My character and integrity have and are being Attacked. I was stuck with a needle and my mind altered.

COUNT IV

4.1 Vancouver Police Department, Nicholas Gillingham, Travis Brown, Ryan Starbuck and Christopher Simmons violated my right to Due Process by conducting a biased and prejudiced partial investigation failing to obtain and therefore preserve physical evidence to support allegations of assault 2 DV.

4.2 A 3rd Party who was not on scene reported a Domestic Violence incident allegedly involving a 'knife' and when Police searched me they did not find a knife nor did they look any farther. Upon questioning the "victim" Corporal Ryan Starbuck had to ask the "Victim" about a knife yet they never looked for nor preserved one to support the charges I'm facing. There is NO knife. Report of a 'knife' was False.

The Police misconduct is attacking my character and presuming me to be guilty without providing factual evidence and I'm suffering from fear, stress and anxiety as I go through the court process. All parties are working against me and it's causing me to lose sleep and take medication to help me with the anxiety, stress and lack of sleep.

COUNT V

5.1 Travis Brown violated my right to Due Process by fabricating the probable cause charging document with embellishments and his supervisor Christopher Simmons as well as the Vancouver Police Department approved the document to be filed additionally violating my right to Due Process and equal protection.

5.2 In the Probable Cause Travis Brown wrote, "Delaney reported coughing in result from Leeroy Chocking her..." yet that is not supported by his own police incident report nor Ryan Starbuck's incident report, nor is this in the 'Victim's' Smith affidavit.

Travis Brown stated he is familiar with me which supports biased and prejudice intent in his misconduct embellishing the Probable Cause to further attack my character and presume me to be guilty without facts and or a fair trial. See

RAW 4/0.16.030

I'm being harassed by police. My character and integrity is being attacked further adding more stress, anxiety, embarrassment and fear. I will not receive a fair trial, I haven't been treated fairly in the pretrial phase. I cannot get my time back.

COUNT VI

- 6.1 Nicholas Gillingham violated my right to Due process falsely reporting a weapon was involved in his Police report yet there is no 'knife' weapon and Christopher Simmons as well as the Vancouver Police Department approved the report to be filed additionally violating my right to due process and equal Protection.
- 6.2 Nicholas Gillingham wrote in his report there was a weapon involved when there was no weapon to support this report and his supervisor Christopher Simmons approved the report being aware of the embellishment. See RCW 40.16.030. They knew the report would be filed to be used in a Criminal Prosecution and still willingly fabricated embellishments to further make it appear I'm guilty without evidence as well as to justify and or overlook Police Misconduct.

I got Anxiety, stress, loss of sleep in which I now take medication to help. I'm being treated very unreasonably. I can't get my time back.

COUNT VII

- 7.1 Nicholas Gillingham, Ryan Starbuck and Christopher Simmons violated my right to due Process and equal Protection falsifying Use of Force report and Vancouver Police Department violated my right in approving the false report(s).
- 7.2 Christopher Simmons use of force report says there were 3 officers on scene during the incident while Nicholas Gillingham and Ryan Starbuck say there was only 1. Ryan Starbuck opened the back door for Nicholas Gillingham and Christopher Simmons to place me in the vehicle after Christopher Simmons and Nicholas Gillingham took me to the ground while in handcuffs. They are knowing and knowledgeable of this yet lie in their reports. See RCW 40.16.030

I'm losing my life being subjected to stress anxiety and loss of sleep while these officers lie on the reports yet attack my character and integrity in making me appear guilty. I can't get my time back.

Count VIII

8.1 Vancouver Police Department, Ryan Starbuck, Nicholas Gillingham, Christopher Simmons Violated my right to due process and equal protection.

8.2 All Parties listed in 8.1 falsified my mental health in an attempt to justify the misconduct of forcefully injecting me; when there is no right to do so. They also falsified my injury when it's from them taking me down to the ground while in cuffs.

My Character and my integrity have been attacked.

I'm Presumed guilty because of what these officers say.

I've been subjected to stress, anxiety, loss of sleep, embarrassment, I've lost time I cannot get back, I'm traumatized.

I have to take meds to go to bed. I talk to a Psychologist at the jail. I'm terrified of the Police and Authoritative figures and their lies.

Count IX

9.1 Ryan Starbuck, Christopher Simmons and Vancouver Police Department Violated my right to due process and equal protection.

9.2 In Ryan Starbuck's use of force report he claims I was injured before use of force yet Nicholas Gillingham and Christopher Simmons say I was not in their reports; yet Sergeant Simmons approved the false document to be filed along with Vancouver Police Department. See RCW 40.16.030 as all knowingly filed a false document. The injury from my head came from Police taking me down while in handcuffs.

Proves Along with everything else I will not receive a fair trial.

I have anxiety, stress, loss of sleep, depressed and traumatized due to all the lies and misconduct I've suffered and endured. I'm scared of authoritative figures since they can do whatever they want and I'm the one in jail. I can not get my time back nor erase the memories that keep me up at night.

IV. Relief

(I) am seeking (1) (a) written as well as public Apology by the Chief of Police for his departments misconduct, (b) a written and public apology from each of the officers listed as defendants, (c) Sergeant Simmons to be fired (d) Corporal Starbuck to be fired, (e) Travis Brown fired, (f) Nicholas Gillingham placed on the Brady list, (g) \$100,000,000 from the Vancouver Police Department, (h) \$100,000,000 from American medical response, (i) \$1,000,000 from each officer listed as a Defendant, (j) both case numbers in Clark County Superior Court Dismissed meaning 21-1-01758-06 and 21-1-01851-06 which 21-1-01851-06 derives from 21-1-01758-06, (K) My release from jail.

IV. RELIEF

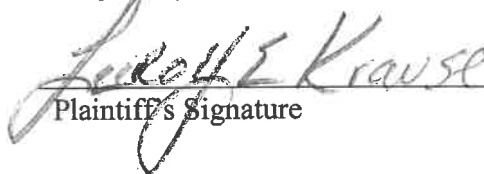
State exactly what you want the Court to do for you. For example, you may be seeking money damages from an individual defendant, you may want the Court to order a defendant to do something or to stop doing something, or you may want both kinds of relief. Make no legal arguments. Cite no cases or statutes.

SEE ATTACHMENT

V. SIGNATURE

By signing this complaint, you represent to the Court that you believe the facts alleged to be true to the best of your knowledge, that you believe those facts show a violation of law, and that you are not filing this complaint to harass another person or for any other improper purpose.

3-25-2022
Dated


Plaintiff's Signature

Report Number 2021-021142 - Supplement - 3 Report

REPORT DATE / TIME	EVENT START DATE / TIME - EVENT END DATE / TIME	REPORT WRITER
Oct 6, 2021 19:50	Oct 6, 2021 15:26	Ryan Starbuck #1404
SUPPLEMENT TYPE		
Patrol Supplemental		

NARRATIVE**Synopsis**

I responded to a welfare check and upon arrival I contacted the female party involved. It was determined that there was probable cause for the male half and he was arrested for Assault IV DV. Further investigation revealed that the probable cause was in fact Assault II DV and the subject was combative and damaged a patrol vehicle extensively and probable cause was developed for Malicious Mischief I. I assisted maintaining control of the suspects upper body on two occasions during the incident. Attach to Original Report.

Narrative

On 10/6/2021 at approximately 1433 hours I was dispatched to a welfare check at . The call advised that we were checking on a female who broke up with her boyfriend Leeroy Krause. It stated that he was pounding on the female's door and she was hiding in the residence.

Upon arrival at the residence I could hear crying coming from one of the stairwells in the apartment complex. Officer Gillingham contacted a male in the stairwell and he came down and spoke with Officer Gillingham and Acting Sergeant Simmons. I went up the stairs and a female exited the residence and was identified as Delaney Daniel. Delaney was crying and her face was red and flush from crying. I stood at the top of the stairwell. I asked Delaney what occurred and she stated that they were arguing and Leeroy was calling her names. I asked how long he had been out there and she stated since about 1 PM. She advised me that he isn't allowed inside the residence and he knows that. I asked her who made that rule and she advised that the two main occupants of the residence, Collin and Kira, do not allow him in there. Delaney stated that she and Leeroy had been together for six months.

Today he showed up and was yelling at her to bring him some items to clean his foot with. She advised he had a hurt foot and she brought out some items for him to clean his foot and set them outside. I observed a bottle of hydrogen peroxide outside the front door. During the time I was trying to speak with Delaney, Leeroy was yelling at her to not say anything and if she told us that he touched her he would go to jail. Delaney appeared very timid when he was yelling up and kind of tucked her chin and looked to the side. Officers were trying to get him to stop and I advised Delaney to focus on me. Leeroy was attempting to get her to not provide any information. I asked Delaney if she was afraid of him and she stated, "well not now." I asked if it was because the Police were there and she nodded in an affirmative motion. I asked if she was afraid earlier and she stated she was.

I asked her to tell me further about the interaction she had with Leeroy and asked if anything physical occurred. She stated that he pushed her in the chest. I asked when that happened and she advised that she tried closing the door after and he put his hand in the doorway to keep her from closing the door. He then forced his way into the apartment and she was telling him to leave. He was yelling at her and calling her names and pushed her into the chest which made her stumble backwards and fall into a bean bag chair in the residence. Delaney advised that she was pushing Leeroy to try and get him out and during the struggle he reached for her phone which was in her pocket. When he tried to take her phone it ripped her pants at the pocket. Delaney advised me that her right thumb was extremely sore but she didn't know when that got injured. Eventually she got Leeroy out of the apartment and was able to close the door.

Based on the statements and observations I determined there was probable cause for Leeroy's arrest for Assault IV Domestic Violence. Potentially there was further Probable Cause for Criminal Trespass I DV or Residential Burglary DV but hadn't spoken to other Officers. Leeroy was becoming further agitated and trying to intervene and control my interview with Delaney so I advised Sergeant Simmons of the PC. Leeroy was placed under arrest by Officer Gillingham and I attempted to speak further with Delaney but Leeroy was becoming obviously agitated and turning on Officers. They walked him out and eventually Leeroy turned towards Officer Gillingham and he was escorted to the ground in the parking lot of the complex. I went and grabbed Officer Gillingham's patrol vehicle and drove it into the parking lot to make the custody transfer to the vehicle.

I went around and unlocked the doors and opened the rear passenger door. Officers were assisting Leeroy up and I assisted in lifting him up. I then assisted in removing all the items from his right side pockets. He was then placed into the patrol vehicle. After he was placed into the patrol vehicle Leeroy began to bang his head against the partition. Officers advised him to stop and he then began to kick at the

REPORTING OFFICER SIGNATURE / DATE	SUPERVISOR SIGNATURE / DATE
Ryan Starbuck #1404 Oct 7, 2021 13:04 (e-signature)	Christopher Simmons #1635 Oct 7, 2021 13:48 (e-signature)
PRINT NAME	PRINT NAME
Ryan Starbuck #1404	Christopher Simmons #1635

passenger door to include the passenger rear door protective screen. He advised me he was going to spit on me so I moved to the side and put on protective glasses. The passenger door became protruded near the door handle causing extensive damage. The window screen was also broken out. Acting Sergeant Simmons advised we were going to place a hobble on Leeroy to prevent further damage. I went around to the driver's side and opened the rear driver's side door. Upon opening the door I gained control of Leeroy's upper body and pulled his shoulders down to the seat so he was lying more flat for the hobbles to be placed. He seemed to relax once he was controlled. He was sat back up and I maintained his head at the back of it with my right hand. He was further agitated when he was sat back up and Acting Sergeant Simmons had to be down in front of Leeroy so I was keeping him from looking towards him based on his previous statements to spit on Officers. The door was secured and I secured the driver's side rear door.

Leeroy commenced to slip the hobble and began damaging the door again. I requested AMR to respond to assist as it was unsafe to drive Leeroy to the jail with the extensive damage to the door. There was concern that the door would fail or the window partition would allow for Leeroy to exit. Detective Brown was on scene and I asked if he could provide Delaney with a DV statement form. He advised he would.

Following AMR arriving Leeroy became aggressive and threatening medics. It was determined to keep him in the car to sedate him so we did as previous and I went to the driver's side door. As soon as I opened the door Leeroy started saying "ok, ok". I took a hold of his right shoulder and moved him down on his left side in the seat and the medic was able to sedate Leeroy in the right arm without any issue. We then moved Leeroy to the gurney without any further incident. The handcuffs were removed and he was placed in soft restraints and transported.

I returned to the apartment and contacted Detective Brown and Delaney. Detective Brown advised that Delaney mentioned previous assault incidents and I asked if she mentioned anything about a knife today. There was mention in the call that a knife was held to her throat by the caller. Delaney advised that during today's incident Leeroy had held a steak knife against her throat. I asked her when this occurred and she advised that it was after he pushed his way in. I asked why she didn't mention this earlier and she advised she was concerned with Leeroy being down below us when we were talking.

Based on this I obtained a fuller statement from Delaney to clarify anything not provided. Delaney stated that Leeroy did arrive around 1 PM. He was ringing the doorbell and knocking on the door to let him in. After about an hour she went out and he was sitting on the steps down below her outside stairwell. She went down there and provided him with some band aids, alcohol wipes and peroxide. He was trying to get her to clean his foot. She stated that she didn't because he was calling her names and making statements like, "can't you help me you dumb ass bitch," and calling her selfish. She stated she wasn't going to help him based on his behavior and she went back up to her apartment. He asked her to at least put some shoes out for him so she set them on the front porch. This is when she stated that Leeroy blocked the door and pushed his way into the apartment.

Delaney was yelling at him to leave and she stated that she was crying because she was overwhelmed. She was yelling at him stating to him that he couldn't be there. Leeroy began yelling at her and pushed her in the chest and she fell back a couple of feet and on to the bean bag chair. At this time Leeroy advised Delaney that he was going to get a knife. He went into the kitchen and returned with a serrated steak knife. She told him that her roommates were coming back and she was going to call them. Delaney advised that Leeroy returned with the knife with the blade downward from his pinky in his fist and with that same hand he wrapped his arm around the front of her neck in a V shape and lifted her up from the bean bag chair. Leeroy then walked her to the bathroom with her in front. Delaney stated that during this she felt the knife touch her neck on the left side near her throat. I observed no marks from the knife on her neck.

Delaney stated that about a month ago he did the same thing and had her get in the bath tub. He held a knife to her throat that time and told her that he was going to kill her. I asked if he made any similar statements today and she stated that she didn't remember any. I asked what she thought was going to happen today and she advised me she thought the same thing would happen. I asked if she believed that he would kill her and she advised that she didn't because he didn't the time before. When she was pushed into the bathroom there was a knock at the apartment door. She stated that she was in the bathroom still crying and Leeroy went to the door and answered it. He advised the landlord that they were just having an argument. Shortly after the door closing Delaney went out and started telling Leeroy to leave and they both went outside. They continued to argue and she got back into the apartment and he was outside. Police showed up shortly after.

Delaney advised of a previous incident where Police were called. She advised a report was completed but I was unable to find any in Mark43. This was approximately a week prior according to Delaney. After answering questions for Delaney about the rest of the process I cleared without further.

Based on Delaney being assaulted by Leeroy and in the commission of the assault he was wielding a steak knife which is a deadly weapon I determine there to be Probable Cause for Assault II Domestic Violence. Further he damaged a vehicle door which would require full replacement of the door, interior panel, and plexi glass screen for the window. Leeroy damaged this knowingly and I believe repair costs

REPORTING OFFICER SIGNATURE / DATE Ryan Starbuck #1404 Oct 7, 2021 13:04 (e-signature) PRINT NAME Ryan Starbuck #1404	SUPERVISOR SIGNATURE / DATE Christopher Simmons #1635 Oct 7, 2021 13:48 (e-signature) PRINT NAME Christopher Simmons #1635
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Report Number 2021-021142 - Supplement - 3 Report (Vancouver Police Department: Vancouver Police Department)

Pg 3 of 3

of replacing the door, window screen, any frame work as well as taking the vehicle out of service and repair costs to exceed \$5,000. There is Probable Cause for the crime of Malicious Mischief I.

Attachments

None

Recommendation

Attach to Original Report.

INVOLVED PERSONS

INVOLVED PERSON-1 NAME (LAST, FIRST MIDDLE)

DOB / ESTIMATED AGE RANGE

P-1 Daniel, Delaney E

SEX

RACE / ETHNICITY

Female

White / Not Hispanic Or Latino

HOME ADDRESS

INVOLVEMENT TYPE

Victim

INVOLVED LOCATIONS

LOCATION

PERSON ADDENDUM

FIRST NAME

LAST NAME

MIDDLE NAME

Delaney

Daniel

E

DOB / ESTIMATED AGE RANGE

RACE / ETHNICITY

SEX

DECEASED

White / Not Hispanic Or Latino

Female

☐ YES ☒ NO

RESIDENT OF JURISDICTION?

Yes

HOME ADDRESS-1

ENTERED DATE

Oct 6, 2021

HEIGHT

WEIGHT

HAIR COLOR / LENGTH / STYLE

DL ID #

5' 6"

150 lbs

Brown (BRO)

DL STATE

Oregon

This report was generated in Mark43 and the e-signature was affixed using the undersigned officer's unique login and password. I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge and belief.

ELECTRONICALLY SIGNED

DATE

PLACE

Ryan Starbuck

10/07/2021

Vancouver Police Department, WA

REPORTING OFFICER SIGNATURE / DATE

Ryan Starbuck #1404 Oct 7, 2021 13:04 (e-signature)

PRINT NAME

Ryan Starbuck #1404

SUPERVISOR SIGNATURE / DATE

Christopher Simmons #1635 Oct 7, 2021 13:48 (e-signature)

PRINT NAME

Christopher Simmons #1635

Vancouver Police Department

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Vancouver Police Department

Mark43 RMS Form v2.0 generated by A. Beaver on Oct 12, 2021 11:43.

KRAUSE, LEEROY ELIJAH

2021-1-01758-06

10/18/2021 031

Report Number 2021-021142 - Supplement - 2 Report

REPORT DATE / TIME Oct 6, 2021 16:50	EVENT START DATE / TIME - EVENT END DATE / TIME Oct 6, 2021 14:24	REPORT WRITER Travis Brown #1723
SUPPLEMENT TYPE Evidence Collection / Processing, Interview - Sworn Statement of Elizabeth		

NARRATIVE**Synopsis**

Smith Affidavit collected from Delaney Daniel. Injury assessed and photo documented. Clothing documented as ripped. Landlord interviewed regarding procuring DV Verbal.

Narrative

On 10/06/21 at approximately 1425 hours, VPD patrol officers responded to (Vancouver, WA) regarding a welfare check request. I, Detective Brown of the DV Unit was listening to the radio traffic and read call notes to learn that the subject in question was Leeroy Krause, to which I was familiar with in past investigations (2021-004020). Leeroy more commonly goes by "Eli."

Known police contact and history for Leeroy included that of suspect in possession of firearms, theft of firearm (2021-005282) and Officer Safety Bulletin. Leeroy's status showed to have a warrant per DOC. The warrant was listed as, "Escape Community Custody Longview For Robbery 2" and the alert further listed officer safety warnings, "May Be Armed" and "Assltv To LE."

An anonymous 911 caller reported and was noted in CAD to have said Leeroy was, "banging on the door" and that earlier he had, "attacked her w a knife." The victim in question was later identified as Leeroy's girlfriend of six months, Delaney Daniel.

I called DOC to alert them of VPD contact. DOC advised that Longview would book on the warrant and requested our assistance in apprehension and transport.

I arrived on scene at a juncture where Leeroy was outside talking with officers and not in handcuffs. Delaney was inside her apartment.

It was relayed to me that Cpl Starbuck had established PC for Leeroy's arrest. I observed that once Leeroy was placed in handcuffs and escorted to the patrol vehicle, he began to act erratically with cursing, crying, struggling arms and legs consistent with escape efforts. I observed a calculated and controlled takedown, one of which was with minor force. I did not observe injury or complaint of pain from Leeroy.

While in the prisoner compartment, Leeroy repeatedly kicked at the door despite officer warnings, and continued until damaging the window and function of said door; an impairment to a public service and emergency response vehicle.

With Leeroy secured by patrol officers, I contacted Delaney at her apartment for further photo documentation and interview.

Interview, Smith Affidavit, and Danger Assessment

When I contacted Delaney Daniel I observed her eyes to be teary and face reddish in color surrounding her eyes. She confirmed that she had been crying prior to police arrival. She initially spoke of a verbal argument with Leeroy, her boyfriend of approximately six months. During the argument, he lunged for her phone, which was in her right-front pants pocket. She attempted to retain her phone and when Leeroy attempted to overcome her retention, he used force and tore her pants pocket and injured her right hand and thumb.

The damage to Delaney's pocket was apparent and she allowed for me to photo document. Delaney gave consent for me to examine her injury. I palpated the area of her injury; the right hand thumb/palm area. Per my former Firefighter and Emergency Trauma Technician (ETT) employment, I further identified this area of injury to be sensitive to the touch and with proximal radiant pain that did not stretch as far into the wrist area. The visual of said injury was not readily apparent, but I did take photos. During this process Delaney favored and held said area in a manner consistent with someone protecting their injury and responding to pain.

Delaney asked about what would happen next due to the arrest and if Leeroy would find out that she was cooperating with police. Delaney was afraid to participate and was not sure if she would sign a sworn written statement.

REPORTING OFFICER SIGNATURE / DATE Travis Brown #1723 Oct 7, 2021 09:55 (e-signature)	SUPERVISOR SIGNATURE / DATE Christopher Simmons #1635 Oct 7, 2021 13:45 (e-signature)
PRINT NAME Travis Brown #1723	PRINT NAME Christopher Simmons #1635

Delaney participated in the Danger Assessment. I asked if Leeroy had threatened to use weapons against her. She said that he had done so approximately 1.5 months ago, holding a handgun to her head. Today she spoke of him holding her in a choke hold from behind while holding a knife.

I asked Delaney if Leeroy had any recent forms of loss, such as with family members passing or being fired from a job. Delaney stated Leeroy was laid off from work by his step-father and that his mother was very ill and expected to die soon due in part to drug use.

In further details of choking, Delaney said she had suffered a past unreported incident, where Leeroy used both of his hands to choke her.

The Danger Assessment rated a 14 on a scale of 1-18 for "Severe." The Danger Assessment is a tool used to measure the lethal threat a suspect presents towards a domestic partner.

Towards the end of the assessment, Delaney agreed to write a formal sworn statement as follows:

"He [Leeroy] has tried to choke me with both hands has taken my phone multiple times and tried to destroy it (damage or break it), he has pushed me, grabbed me, hit me in the back of the head, held a knife to my throat twice, held a gun to my head one time, threatened to kill me and hurt me, he has threatened my friends in the very beginning of relationship, he has spit in my face and on my belongings. Today he tried to take my phone out of my pocket and I tried to take it back and he ripped my pants and my hand twisted. He also held a knife (kitchen) to my throat and pushed me."

At approximately 1540 hours I read to Delaney the perjury warning, to which she stated she understood and was telling the truth. She signed the sworn written statement in my presence.

With me for interview was Cpl Starbuck who conducted a second interview. I observed that as time went on, Delaney became more able to report details. Leeroy was outside in police custody, but also receiving emergency medical services via AMR due to his escalated state. Leeroy could no longer be heard yelling at Delaney and it is possible this also aided in Delaney reporting.

Delaney stated that she was afraid of Leeroy hurting her, but not killing her. This puzzled me as a response due to the reported threats with gun and knife. Delaney explained that Leeroy has forced her into the bathroom multiple times, and in the past put her in the bathtub and threatened to kill her. This struck me as a form of terrorization and conditioning that could explain Delaney's trauma. She replied that she is not concerned of Leeroy killing her due to the repeated threats and attempts not being carried out, however all so forceful and with consistent overt acts (see Cpl Starbuck's report for additional interview details).

I provided Delaney with a copy of DV victim's rights and resources and departed the scene.

I later contacted the apartment complex landlord for interview.

Witness Statements

Landlord, Kevin Hayden interviewed via phone. He stated there was argument between Eli (Leeroy Kruase) and girlfriend, Delaney that day. Kevin was next door for repairs. He did not see anyone else surrounding or in the apartment in question. Kevin saw each and observed both to be crying. Kevin was not aware of them being physical and last saw Leeroy outside and separated from Delaney.

The original RP in this call identified by first name only. I have left a voicemail for the RP to contact me to further participate in interview.

The CAD notes indicate a Stephanie with listed phone number was associated. The details are unclear as to her role and she was not located on scene. I have called the listed number and left a voicemail for them to call me.

I have request audio and transcript of the 911 call from CRESA.

Attachments

DV Packet and Smith Affidavit

Photos of Delaney

Recommendation

REPORTING OFFICER SIGNATURE / DATE	SUPERVISOR SIGNATURE / DATE
Travis Brown #1723 Oct 7, 2021 09:55 (e-signature)	Christopher Simmons #1635 Oct 7, 2021 13:45 (e-signature)
PRINT NAME	PRINT NAME
Travis Brown #1723	Christopher Simmons #1635

Report Number 2021-021142 - *Offense / Incident Report Cover Sheet (Vancouver Police Department: Vancouver Police Department)

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Report Number 2021-021142 - *Offense / Incident Report Cover Sheet

REPORT DATE / TIME Oct 6, 2021 16:11	JURNAME / PRECINCT / DISTRICT / BEAT / NHOOD	EVENT START DATE / TIME - EVENT END DATE / TIME Oct 6, 2021 14:24 - 14:24
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OFFENSE-1

OFFENSE CODE RCW_9A.36.021_ASSAULT II		WEAPON / FORCE INVOLVED Knife/Cutting Instrument (knives, razors, hatchets, axes, cleavers, scissors, glass, broken bottles, ice picks, etc.)	
OFFENSE LOCATION		OFFENSE START DATE Oct 6, 2021 14:26	OFFENSE END DATE Oct 6, 2021 14:26

OFFENSE-2

OFFENSE CODE RCW_9A.48.070_MALICIOUS MISCHIEF I	OFFENSE START DATE Oct 6, 2021 14:34	OFFENSE END DATE Oct 6, 2021 14:34
OFFENSE LOCATION		

INVOLVED PERSONS

INVOLVEMENT S-1, P-2	NAME LEEROY ELIJAH KRAUSE	HOME ADDRESS 11510 NE 112TH DR 117 VANCOUVER, WA 98662	DOB / ESTIMATED AGE RANGE 1998-06-23	RACE White	SEX Male
INVOLVEMENT V-1, P-3	NAME Delaney E Daniel	HOME ADDRESS	DOB / ESTIMATED AGE RANGE	RACE White	SEX Female
INVOLVEMENT R-1	NAME May UNKNOWN	HOME ADDRESS	DOB / ESTIMATED AGE RANGE	RACE Unknown	SEX Female

INVOLVED ORGANIZATIONS

INVOLVEMENT V-2, O-1	NAME CITY OF VANCOUVER	ADDRESS 605 E EVERGREEN BLVD, VANCOUVER, WA 98661
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INVOLVED VEHICLES

STATUS Vehicle, Damaged	ITEM CATEGORY Passenger Car/ Automobile	MAKE / MODEL / PRIMARY COLOR Ford / Explorer / Black (BLK)
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NARRATIVE**Synopsis**

Assault II - DV, Malicious Mischief I (Patrol Vehicle), DOC Warrant - The listed suspect assaulted his girlfriend, damaged a patrol vehicle, and had an outstanding DOC warrant. He was booked into the Clark County Jail on the listed charges. Threat assessment completed and scored a 14.

Narrative

On 10/6/2021 at 1426, I responded to a welfare check. The dispatch call notes stated the caller's friend had broken up with her boyfriend (identified as Leeroy Elijah Krause and he was currently pounding on the apartment door. The caller was not on scene and this was information being relayed by her friend the victim who was identified as Delaney Daniel. The call also stated Leeroy Krause was locked outside of the apartment and had held a knife up to the victim's throat.

When I arrived, I staged to the east of the target location to wait for additional cover officers. When Corporal Starbuck and A/Sgt Simmons arrived on scene, we approached the apartment complex. As we approached, I could hear crying and someone knocking on a

REPORTING OFFICER SIGNATURE / DATE Nicholaas Gillingham #1770 Oct 7, 2021 11:15 (e-signature)	SUPERVISOR SIGNATURE / DATE Christopher Simmons #1635 Oct 7, 2021 13:42 (e-signature)
PRINT NAME Nicholaas Gillingham #1770	PRINT NAME Christopher Simmons #1635

Vancouver Police Department

Vancouver Police Department

NOTE: Summarized report. More data regarding this report may exist in the RMS.
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KRAUSE, LEEROY ELIJAH

2021-1-01758-06

10/18/2021 008

door. I rounded the corner of the stairwell to apartment 2611 and saw the suspect who I recognized from his DOL picture as Leeroy Krause. Krause was compliant and kept his hands in the air as he walked down the stairway towards us. Leeroy was frisked for weapons by A/Sgt Simmons and sat on the wood deck located in the common area of the apartment complex. No weapons were found on Leeroy.

As Leeroy sat on the wood deck Delaney opened the apartment door and Corporal Starbuck went to interview her.

After gathering his initial information, I asked Leeroy to tell me what had happened. Leeroy told me he had arrived at his girlfriend's apartment at about 1300 hours because he had a cut on his foot, and he wanted her to help him clean it. When his girlfriend Delaney walked down to the common area to meet with him, she told him she would not clean his foot.

At this time Leeroy told me he called Delaney a "bitch" and took her phone from her to go through her messages. Leeroy said prior to Delaney walking back up to the apartment he gave her the cell phone back and she went inside.

I asked Leeroy if he was ever inside of the apartment and he told me he was not because he had locked the door behind him when they went outside. Leeroy's story was confusing and hard to follow. He initially told me he was never inside the apartment but started to back track saying he went up to the apartment and shut the door locking himself out because he does not have the door code.

I asked Leeroy if at any point he had gotten physical with Delaney and he told me "no" nothing had been physical.

Corporal Simmons had asked Leeroy again if anything got physical in order to clarify and Leeroy did say that he had pushed her near the door but not in an assaultive way but more like a "don't go anywhere" way. It was obvious to me Leeroy was trying to avoid answering any direct questions.

Corporal Starbuck developed probable cause for Assault IV - DV after interviewing Delaney.

A/Sgt Simmons and I placed Leeroy into handcuffs and double locked them without incident. Leeroy started to tense up as we walked from the common area of the apartment complex to the parking lot. As we were walking Leeroy started to throw his legs out and stop us from walking screaming for Delaney. At one point Leeroy threw his head towards me in an attempt to "head butt" me but missed. After Leeroy attempted to "head butt" me he was thrashing his legs around, continuing to try and stop us from walking towards a patrol vehicle. I was holding onto Leeroy's left arm and wrist attempting to escort him to the patrol car however I was unsuccessful.

A/Sgt Simmons and I took Leeroy to the ground in a controlled manner in order to maintain complete control of him, prevent injury to Leeroy or officers, and to facilitate a safe transition to a patrol vehicle. I warned Leeroy prior to the takedown that force would be used against him if he did not stop. No other force options were necessary, reasonable, or appropriate for the situation. The controlled take down was effective in controlling Leeroy's assaultive behavior. Leeroy was not injured from the takedown.

Leeroy was placed in the back of my patrol vehicle where he instantly started bashing his head against the plexiglass divider which separates the passenger and driver compartment of the vehicle. Leeroy stopped hitting his head on the plexiglass and started using his feet to kick the rear passenger side car door of the patrol vehicle. Leeroy kicked the door repeatedly and hard enough that I could see the door lifting and creating space off of the door frame.

The rear passenger doors of the patrol car are equipped with plexiglass barriers to protect the rear glass windows. Leeroy was given multiple opportunities to stop kicking the window. I ordered him several times to stop kicking my door and window. The rear passenger window of the patrol vehicle was partially rolled down and would no longer operate because the metal bar securing the plexiglass divider had been bent by Leeroy's repeated kicking. The plexiglass divider started to break and crack after multiple kicks. I saw later the sheet metal of the door had been bent near the window and this damage would render the car out of service for repair. This damage was done to a City of Vancouver police patrol vehicle #2218.

Corporal Starbuck, A/Sgt Simmons, and I were able to apply a hobble to Leeroy however he kicked his way out of the hobble quickly and did not change his behavior. Leeroy repeatedly yelled "I'm going to make you kill me" and stated that he only wanted to talk to his girlfriend. Leeroy also stated that he would spit on officers and make this the "worst day of his life". Leeroy was given distance and time while sitting in the patrol vehicle without any police interaction in order to calm himself but continued to yell and kick the patrol car door.

Detective Brown arrived and interviewed Delaney, asking her to fill out the Smith Affidavit.

The decision was made to have AMR respond and Leeroy was going to be transported to the hospital to be evaluated prior to the jail transport for possible injuries from hitting his head on the divider.

REPORTING OFFICER SIGNATURE / DATE

Nicholaas Gillingham #1770 Oct 7, 2021 11:15 (e-signature)

PRINT NAME

Nicholaas Gillingham #1770

SUPERVISOR SIGNATURE / DATE

Christopher Simmons #1635 Oct 7, 2021 13:42 (e-signature)

PRINT NAME

Christopher Simmons #1635

Vancouver Police Department

Vancouver Police Department

NOTE: Summarized report. More data regarding this report may exist in the RMS.
Mark#3 RMS Form v2.0 generated by A. Beaver on Oct 12, 2021 11:43.

KRAUSE, LEEROY ELIJAH

2021-1-01758-06

10/18/2021 009

Please describe what happened including the details for any questions you answered yes to on the reverse side of this page:

He has tried to choke me with both hands, has taken my phone multiple times and tried to destroy it (damage or break it), he has pushed me, grabbed me, hit me in the back of the head, held a knife to my throat twice, held a gun to my head one time, threatened to kill me & hurt me, he has threatened my friends (in the very beginning of relationship, & he has spit in my face and on my belongings. Today he tried to take my phone out of my pocket and I tried to take it back and he ripped my pants and my hand twisted. He also held a knife (kitchen) to my throat, pushed me.

I have written, or had this statement written for me and this statement truly and accurately reflect my recollection of this incident. The police officer has explained to me I have to certify or declare, under penalty of perjury under the laws of the State of Washington, that the foregoing is true and correct.

Name of Officer who explained this form to me: Det Travis Brown

I certify under penalty of perjury, under the laws of the State of Washington, that the foregoing is true and correct:

SIGNED this 6th day of Oct, 2021, 1540 am/pm at (city/state) Van, WA

Signature x Delaney Daniel Printed Name x Delaney Daniel

Officer who read perjury warning and witnessed the signature:

Officer Signature [Signature] Officer Name Det Travis Brown

* If continuation pages are used, each page must be signed and dated by victim and signed by the witness officer* #1723

9/19

VPD Domestic Violence Victim Statement

Case Number 2021-021142

Statement of Delaney & Daniel Date of Birth _____
 Address _____ Email _____
 Phone Number _____ Social Media _____

During the incident were you:

Hit or was physical force used against you? ☒ Yes | No ☐ No Injured? ☒ Yes | No ☐ No
 Afraid of being hurt? ☒ Yes | No ☐ No In pain? ☒ Yes | No ☐ No
 Afraid of being killed? Yes | ☒ No Threatened? ☒ Yes | No ☐ No
 Afraid a threat would be carried out? Yes | No Strangled? ☒ Yes | No ☐ No
 What made you afraid? see statement / report
 Who did this to you? Leeroy "Eli" Krause

If you were strangled, did you experience:

Difficulty breathing? Yes | No Shortness of breath? Yes | No
 Vision changes? Yes | No Pain or sore throat? Yes | No
 Trouble swallowing? Yes | No Raspy voice? Yes | No
 Uncontrolled urination? Yes | No Uncontrolled defecation? Yes | No
 Are you aware of losing consciousness as a result of being strangled? Yes | No
 Please describe how you were strangled (one hand, two hands, arms, object, etc.)

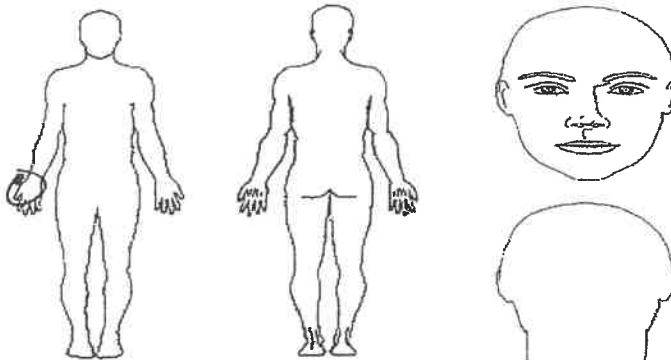
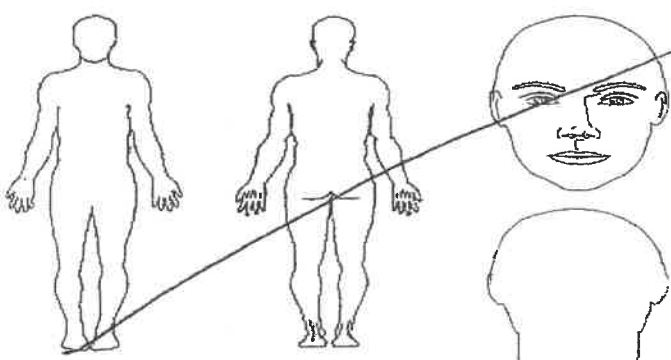
Do any of the following apply the suspect?Threat Level: >8 Moderate 9-13 Increased 14-17 Severe 18+ Extreme (14)

Now	Past	Now	Past
5 <input type="checkbox"/> Guns Present in the home	<input checked="" type="checkbox"/> <u>1.5 mo</u>	3 <input type="checkbox"/> Choked (strangled) you	<input checked="" type="checkbox"/> <u>two hands</u>
3 <input type="checkbox"/> Threats to use a weapon against you or another	<input checked="" type="checkbox"/>	1 <input type="checkbox"/> Abuses alcohol or drugs	<input type="checkbox"/>
3 <input type="checkbox"/> Previous assaults against you with weapons	<input checked="" type="checkbox"/>	1 <input type="checkbox"/> Mental health history/diagnosis	<input type="checkbox"/>
3 <input type="checkbox"/> Threats to kill you, self or others	<input type="checkbox"/>	4 <input type="checkbox"/> You have told suspect you're leaving	<input type="checkbox"/>
4 <input checked="" type="checkbox"/> Recent Loss of <u>job/family/member/unemployed</u>	<input type="checkbox"/>	1 <input type="checkbox"/> Destroys property, spies or stalks you	<input type="checkbox"/>
1 <input type="checkbox"/> Have you threatened/attempted suicide	<input type="checkbox"/>	1 <input type="checkbox"/> Recently Increased level of violence	<input type="checkbox"/>
1 <input checked="" type="checkbox"/> Violently Jealous (If I can't have you no one will)	<input type="checkbox"/>	1 <input type="checkbox"/> Tried to control your daily activities	<input type="checkbox"/>
1 <input type="checkbox"/> Violent/threatening towards children	<input type="checkbox"/>	2 <input type="checkbox"/> Forced you to have sex	<input type="checkbox"/>
1 <input type="checkbox"/> You believe he/she is capable of killing you	<input type="checkbox"/>	1 <input type="checkbox"/> Assaulted you while you were pregnant	<input type="checkbox"/>
1 <input type="checkbox"/> Recently filed for divorce/child custody	<input type="checkbox"/>	3 <input type="checkbox"/> Avoided arrest for Domestic Violence	<input type="checkbox"/>

If suspect's firearms are impounded, do you want to be notified prior to the firearms being released? Yes | No
 Initial _____ Name _____ Contact Info _____

VANCOUVER POLICE DEPARTMENT DV SUPPLEMENTAL REPORT

Case Number 2021-021142

VICTIM		MEDICAL TREATMENT	
<input type="checkbox"/> Confused <input type="checkbox"/> Angry <input checked="" type="checkbox"/> Afraid <input type="checkbox"/> Apologetic <input type="checkbox"/> Crying <input checked="" type="checkbox"/> Fearful <input type="checkbox"/> Frantic <input type="checkbox"/> Nervous <input type="checkbox"/> Calm <input type="checkbox"/> Threatening <input type="checkbox"/> Injured/In Pain	<input type="checkbox"/> Concussion/TBI <input type="checkbox"/> Fracture(s) <input type="checkbox"/> Laceration(s) <input type="checkbox"/> Minor Cut(s) <input type="checkbox"/> Bruise(s) <input type="checkbox"/> Abrasion(s) <input type="checkbox"/> Strangulation <input type="checkbox"/> Safety Plan <input type="checkbox"/> Given DV Resource <input type="checkbox"/> Smith Statement <input type="checkbox"/> Threat Score _____	<input type="checkbox"/> No Medical Units Involved <input checked="" type="checkbox"/> Refused Medical Aid <input type="checkbox"/> Received On-Scene Medical Aid <input type="checkbox"/> Transported to _____ hospital <input type="checkbox"/> AMRVFD Medic Unit(s): _____ <input type="checkbox"/> Signed Medical Release	
DV RELATIONSHIP		EVIDENCE	
<input type="checkbox"/> Intimate Partner <input type="checkbox"/> Spouse/Former Spouse <input checked="" type="checkbox"/> Dating/Former Dating (16+) <input type="checkbox"/> Roommate/Former Roommate <input type="checkbox"/> Child in Common <input type="checkbox"/> Related by blood or marriage (18+) <input type="checkbox"/> Prior DV History <input type="checkbox"/> Prior DV Police Reports <input type="checkbox"/> Current Valid Protection Order <input type="checkbox"/> Invalid/Expired Protection Order Length of Relationship: <u>6 mo.</u>		<input type="checkbox"/> Physical Evidence, see evidence report <input checked="" type="checkbox"/> Photos/Video Evidence, see digital evidence report <input type="checkbox"/> Weapon used/seized _____ <input type="checkbox"/> Firearms Removed <input type="checkbox"/> Evidence <input type="checkbox"/> Safekeeping <input type="checkbox"/> Ammo Removed <input type="checkbox"/> Evidence <input type="checkbox"/> Safekeeping <input type="checkbox"/> Suspect has active CPL <input checked="" type="checkbox"/> Witnesses Statements <input type="checkbox"/> Written <input checked="" type="checkbox"/> Verbal <input type="checkbox"/> Children Present – how many <u>text app 36</u> <input checked="" type="checkbox"/> Social Media for <input checked="" type="checkbox"/> Suspect <input type="checkbox"/> Victim <input type="checkbox"/> Witness <input type="checkbox"/> Suspect vehicle and employer listed in report	
STRANGULATION		VICTIM INJURIES	
<input type="checkbox"/> Difficulty/Pain Swallowing <input type="checkbox"/> Change in Normal Voice <input type="checkbox"/> Uncontrolled Urination/Defecation <input type="checkbox"/> Petechiae (eyes, cheeks, ears, etc.) <input type="checkbox"/> Loss of Consciousness <input type="checkbox"/> Object/Ligature Used <input type="checkbox"/> Vision Problems During or After <input type="checkbox"/> Loss of Breath During or After <input type="checkbox"/> Visible Injury to Neck/Throat/Ears			
NOTIFICATIONS		SUSPECT INJURIES	
<input type="checkbox"/> CPS Notified 866-764-2233 press 9 <input type="checkbox"/> APS Notified 877-734-6277 <input type="checkbox"/> Supervisor Notified _____			
REPORTING OFFICER/PSN: <u>T. Brown 1723</u>		<input checked="" type="checkbox"/> PC STATEMENT COMPLETE <input type="checkbox"/> BOLO	

9/19

2021 - 021142

ARRESTING OFFICER'S DECLARATION OF PROBABLE CAUSE

The undersigned law enforcement officer states that the person whose name appears on this Pre-book/Probable Cause sheet was arrested without a warrant on the date and time shown thereon for the crimes committed in Clark County, Washington based on the following circumstances.

My information is derived from:

B1: Krause, Leeroy E. (DOB: 06/23/1998) -- booked/boyfriend

V1: Daniel, Delaney E. (victim/girlfriend

CHARGES:

1. RCW 9A.48.080 -- Malicious Mischief 1st Degree
2. RCW 9A.36.021 -- Assault II (DV)
3. DOC Warrant

NARRATIVE:

On 10/06/21 VPD patrol and DV Unit officers responded to (Vancouver, WA) regarding a welfare check request. The listed male subject in question was Leeroy Krause who was reported by an anonymous 911 caller and noted in CAD to have said Leeroy was "banging on the door" and that earlier he had "attacked her w a knife." The victim in question was later identified as Leeroy's girlfriend of six months, Delaney Daniel.

Known police contact and history for Leeroy included that of suspect in possession of firearms, theft of firearm and Officer Safety Bulletin. Leeroy's status showed to have a warrant per DOC.

Upon officer's arrival, Leeroy was located outside and Delaney was found to be crying with an injury to her right hand. Per verbal and sworn statements, Delaney showed to be in pain at the area of injury; her right hand, and had a torn pants pocket where Leeroy had forced possession of her phone. Delaney reported to have coughing in result from Leeroy choking her in a headlock while threatening her with a knife in hand.

The Danger Assessment was administered and rated a 14 on a scale of 1-18 for "Severe." The Danger Assessment is a tool used to measure the lethal threat a suspect presents towards a domestic partner.

Leeroy was arrested and placed into a patrol vehicle. While in the prisoner compartment, Leeroy repeatedly kicked at the door despite officer warnings, and continued until damaging the window and function of said door; an impairment to a public service and emergency response vehicle.

Based on this investigation as a whole, I, Det Brown reasonably believe there to be probable cause to arrest Leeroy Krause for the above listed crimes.

The undersigned declares and certifies under penalty of perjury under the laws of the State of Washington that the preceding statement is true and correct to the best of his/her knowledge

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Report Number 2021-021142 - Use of Force - 1 Report (Vancouver Police Department: Vancouver Police Department)

Pg 1 of 3

Report Number 2021-021142 - Use of Force - 1 Report

REPORT DATE / TIME Oct 6, 2021 15:34	EVENT START DATE / TIME - EVENT END DATE / TIME Oct 6, 2021 14:55	REPORT WRITER Christopher Simmons #1635
ASSISTING PERSONNEL / TYPE(S) Nicholaas Gillingham #1770 (Investigative Assistance), Ryan Starbuck #1404 (Investigative Assistance)		
EMS / FIRE / OTHER LE AGENCIES ON SCENE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	UNIT# OR AGENCY AMR	
RESPONDER'S NAME AMR	ID# M1607	
EVENT STATISTICS <input checked="" type="checkbox"/> Mental Health <input checked="" type="checkbox"/> Use of Force <input type="checkbox"/> Homeless		
REPORTING PARTY-1 REPORTING PARTY-1 (PERSON) R-1 UNKNOWN, May		DOB / ESTIMATED AGE RANGE 22 - 22 years old
SEX Female	RACE / ETHNICITY Unknown / Unknown	PHONE NUMBER (360) 773-6343 (primary, Mobile Phone)
USE OF FORCE		
PRIMARY USE OF FORCE REASON TYPE Defend Another		
NUMBER OF OFFICERS ON SCENE 3		
OFFICER MEDICAL AID RECEIVED None		
USE OF FORCE STATISTICS <input checked="" type="checkbox"/> Photos Taken of Injuries		
USE OF FORCE LOCATION		
LOCATION NAME / STREET ADDRESS/LOCATION NAME / APT, UNIT, STE / DESCRIPTION		
CITY VANCOUVER	STATE WA	ZIP 98661
COUNTRY CODE US		
JURNAME / PRECINCT / DISTRICT / BEAT / NHOOD VANCOUVER PD / VPD West / West District 1 / 13 / Rose Village		
SUBJECT-1 SUBJECT-1 NAME (LAST, FIRST MIDDLE) SB-1 KRAUSE, LEEROY ELIJAH		DOB / ESTIMATED AGE RANGE 1998-06-23
SEX Male	RACE / ETHNICITY White / Not Hispanic Or Latino	PHONE NUMBER (360) 553-2899 (primary, cell), 360 (other)
EMAIL ADDRESS https://www.facebook.com/eli.krause.74 (Facebook)		
HOME ADDRESS 11510 NE 112TH DR, 117, VANCOUVER, WA 98662		
ARRESTED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	CHARGES Assault 2-DV, Malicious Mischief 1, DOC Warrant	
MENTAL HEALTH HOLD <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	SUBJECT WAS HOMELESS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
OFFICER ACTIVITY IMMEDIATELY PRIOR TO FORCE RESPONSE Subject Escort	SUBJECT ARMED WITH Unarmed	
REPORTING OFFICER SIGNATURE / DATE Christopher Simmons #1635 Oct 6, 2021 22:59 (e-signature) PRINT NAME Christopher Simmons #1635	SUPERVISOR SIGNATURE / DATE Carole Boswell #1243 Oct 7, 2021 00:01 (e-signature) PRINT NAME Carole Boswell #1243	

Vancouver Police Department

Vancouver Police Department

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KRAUSE, LEEROY ELIJAH

2021-1-01758-06

10/18/2021 005

Report Number 2021-021142 - Use of Force - 3 Report (Vancouver Police Department: Vancouver Police Department)

Pg 1 of 2

Report Number 2021-021142 - Use of Force - 3 Report

REPORT DATE / TIME Oct 7, 2021 00:21	EVENT START DATE / TIME - EVENT END DATE / TIME Oct 6, 2021 15:26 - 20:33	REPORT WRITER Ryan Starbuck #1404
REPORT TAKEN LOCATION 2611 E 25TH ST, VANCOUVER, WA 98661		
REPORTING PARTY-1 REPORTING PARTY-1 (PERSON) R-1 UNKNOWN, May		DOB / ESTIMATED AGE RANGE
SEX Female	RACE / ETHNICITY Unknown / Unknown	PHONE NUMBER

USE OF FORCE

PRIMARY USE OF FORCE REASON TYPE

Other (Explain in Narrative): Control for hobble and sedation

NUMBER OF OFFICERS ON SCENE

1

OFFICER MEDICAL AID RECEIVED

None

USE OF FORCE LOCATION

LOCATION NAME / STREET ADDRESS/LOCATION NAME / APT, UNIT, STE / DESCRIPTION

2611 E 25TH ST

CITY VANCOUVER	STATE WA	ZIP 98661	COUNTRY CODE US
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JURNAME / PRECINCT / DISTRICT / BEAT / NHOOD

VANCOUVER PD / VPD West / West District 1 / 13 / Rose Village

SUBJECT-1

SUBJECT-1 NAME (LAST, FIRST MIDDLE)

SB-1 KRAUSE, LEEROY E

DOB / ESTIMATED AGE RANGE

1998-06-23

SEX Male	RACE / ETHNICITY White / Not Hispanic Or Latino	PHONE NUMBER (360) 553-2899 (primary, cell)	EMAIL ADDRESS https://www.facebook.com/eli.krause.74 (Facebook)
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HOME ADDRESS

11510 NE 112TH DR NE, 117, VANCOUVER, WA 98662

ARRESTED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	CHARGES Assault II DV, Malicious Mischief I DV
MENTAL HEALTH HOLD <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	SUBJECT WAS HOMELESS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

OFFICER ACTIVITY IMMEDIATELY PRIOR TO FORCE RESPONSE

Other (Explain in Narrative)

SUBJECT ARMED WITH

Unarmed

SUBJECT INJURED PRIOR TO USE OF FORCE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	SUBJECT RESISTANCE TYPE Aggressive, Assaultive	SUBJECT BEHAVED VIOLENTLY, ERRATICALLY, OR WAS IN MENTAL OR EMOTIONAL DISTRESS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
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OBSERVED BEHAVIOR Assaulted Officer, Engaged in Physical Resistance, Signs of Drug Impairment	OFFICER USED FORCE ON SUBJECT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	TYPE OF FORCE USED BY OFFICER Control Hold - Effective
LOCATION OF FORCE USED BY OFFICER Head (rear), Rear Upper Torso/Back	SUBJECT INJURY SEVERITY NON_FATAL - No Injury	SUBJECT USED FORCE ON OFFICER? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

PERSON ADDENDUM

REPORTING OFFICER SIGNATURE / DATE Ryan Starbuck #1404 Oct 7, 2021 00:27 (e-signature) PRINT NAME Ryan Starbuck #1404	SUPERVISOR SIGNATURE / DATE Christopher Simmons #1635 Oct 7, 2021 13:49 (e-signature) PRINT NAME Christopher Simmons #1635
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Vancouver Police Department

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KRAUSE, LEEROY ELIJAH

2021-1-01758-06

10/18/2021 035

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Report Number 2021-021142 - Use of Force - 2 Report (Vancouver Police Department: Vancouver Police Department)

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Report Number 2021-021142 - Use of Force - 2 Report

REPORT DATE / TIME Oct 6, 2021 17:23	EVENT START DATE / TIME - EVENT END DATE / TIME Oct 6, 2021 14:24 - 14:24	REPORT WRITER Nicholaas Gillingham #1770
EVENT STATISTICS		
<input type="checkbox"/> Mental Health <input checked="" type="checkbox"/> Use of Force <input type="checkbox"/> Homeless		
REPORTING PARTY-1 REPORTING PARTY-1 (PERSON) R-1 DELANEY, ELIZABETH GRACE		DOB / ESTIMATED AGE RANGE
SEX Female	RACE / ETHNICITY White / Unknown	PHONE NUMBER
HOME ADDRESS		

USE OF FORCE

PRIMARY USE OF FORCE REASON TYPE

Defend Self

NUMBER OF OFFICERS ON SCENE

1

OFFICER MEDICAL AID RECEIVED

None

USE OF FORCE LOCATION

LOCATION NAME / STREET ADDRESS/LOCATION NAME / APT, UNIT, STE / DESCRIPTION

2611 E 25TH ST

CITY VANCOUVER	STATE WA	ZIP 98661	COUNTRY CODE US
JURNAME / PRECINCT / DISTRICT / BEAT / NHOD VANCOUVER PD / VPD West / West District 1 / 13 / Rose Village			
SUBJECT-1 SUBJECT-1 NAME (LAST, FIRST MIDDLE) SB-1 KRAUSE, LEEROY ELIJAH		DOB / ESTIMATED AGE RANGE 1998-06-23	
SEX Male	RACE / ETHNICITY White / Not Hispanic Or Latino	PHONE NUMBER (360) 553-2899 (primary, cell), 360 (other)	EMAIL ADDRESS https://www.facebook.com/eli.krause.74 (Facebook)
HOME ADDRESS 1000 SE 160TH AVE, VANCOUVER, WA 98684			

ARRESTED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	CHARGES Assault II - DV, Malicious Mischief I, DOC Warrant		
MENTAL HEALTH HOLD <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	SUBJECT WAS HOMELESS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
OFFICER ACTIVITY IMMEDIATELY PRIOR TO FORCE RESPONSE Subject Escort		SUBJECT ARMED WITH Unarmed	
SUBJECT INJURED PRIOR TO USE OF FORCE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	SUBJECT RESISTANCE TYPE Aggressive, Assaultive	SUBJECT BEHAVED VIOLENTLY, ERRATICALLY, OR WAS IN MENTAL OR EMOTIONAL DISTRESS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
OBSERVED BEHAVIOR Engaged in Physical Resistance	OFFICER USED FORCE ON SUBJECT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	TYPE OF FORCE USED BY OFFICER Takedown - Effective	
LOCATION OF FORCE USED BY OFFICER Arms/Hands	SUBJECT INJURY SEVERITY NON_FATAL - No Injury	SUBJECT USED FORCE ON OFFICER? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

REPORTING OFFICER SIGNATURE / DATE Nicholaas Gillingham #1770 Oct 7, 2021 11:17 (e-signature)	SUPERVISOR SIGNATURE / DATE Christopher Simmons #1635 Oct 7, 2021 13:42 (e-signature)
PRINT NAME Nicholaas Gillingham #1770	PRINT NAME Christopher Simmons #1635

Vancouver Police Department

Vancouver Police Department

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KRAUSE, LEEROY ELIJAH

2021-1-01758-06

10/18/2021 023

INSTRUCTIONS FOR PRISONERS SEEKING TO FILE A CIVIL RIGHTS COMPLAINT PURSUANT TO 42 U.S.C. § 1983

You must comply with the following instructions before the Clerk will file your Complaint

Local Rule CR 103, Local Rules for the Western District of Washington, requires you to submit your Complaint on the form furnished by the Court (a § 1983 form is attached). The clerk will upload the complaint to the docket and make copies of it for service upon the defendant(s). Plaintiff should keep a copy of the complaint for his or her own records; the clerk will not routinely return a copy of the complaint to plaintiff.

You must submit either the full \$402.00 filing fee or a completed *in forma pauperis* application, including a certified copy of your prisoner account. Carefully read the information sheet for prisoners seeking leave to proceed *in forma pauperis* (without prepayment of the entire filing fee).

You may bring your Complaint to the United States District Court for the Western District of Washington only if one or more of the named defendants is located within this district, or if your claim arose from this district. If you have more than one claim, you must file a separate complaint for each claim unless they are related to the same incident or issue.

Your Complaint must be legibly handwritten or typed. **NOTE: DO NOT WRITE ON THE BACK OF ANY OF THE PAGES OF THE COMPLAINT;** any writing on the back of any page might not be considered by the Court. If you need additional space to answer any question(s), you may attach additional pages.

You are required to state facts in support of each claim. Describe how each named defendant violated your civil rights and when the violation occurred. You must sign the complaint.

You must keep the Clerk of the Court informed of any change of address. If you fail to do so, the Clerk cannot be responsible for your failure to receive Court Orders. This also could result in the dismissal of your suit.

If your claim arose in King, Snohomish, Skagit, Whatcom or Island Counties, mail your completed forms, the originals and all copies to:

Clerk, U.S. District Court
700 Stewart Street, Suite 2310
Seattle WA 98101-1271

If your claim arose in Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Kitsap, Lewis, Mason, Pacific, Pierce, Skamania, Thurston, or Wahkiakum Counties, mail your completed forms, the originals and all copies to:

Clerk, U.S. District Court
1717 Pacific Ave, Room 3100
Tacoma WA 98402

NOTE: If you are housed at a Department of Corrections facility subject to the Prisoner Electronic Filing Initiative pursuant to General Orders 02-15 and 06-16, you may fulfill this mailing requirement by submitting your documents to the appropriate person at your facility who will transmit your documents electronically to the U.S. District Court. Your facility will receive any documents filed in your case electronically on your behalf.

DeeCo9 E Krause
Clark County Jail
PO BOX 91417
Tacoma, WA 98466-1147

FILED	LODGED
RECEIVED	
MAR 31 2022	
CLERK U.S. DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA	
BY	DEPUTY

Clerk
U.S. District Court

1717 Pacific Ave, Roo

CLARK COUNTY
JAIL
Tacoma WA 98402

INMATE MAIL

JAIL
INMATE MAIL



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